

**REMARKS/ARGUMENTS**

Applicants respectfully request further examination and reconsideration in view of the arguments set forth fully below. Previously, claims 1-4, 6-7 and 14-36 were pending in this application. In the Office Action mailed April 21, 2005, claims 1-4, 6-7 and 14-36 were rejected. No claims are amended, cancelled or added in this Response. Accordingly, claims 1-4, 6-7 and 14-36 are pending.

**Background**

After several attempts to reach the Examiner, the Examiner agreed to a teleconference on June 6, 2005, with the attorneys for the Applicants regarding the Office Action. During the teleconference, the undersigned discussed the cited prior art references and the claimed invention. The Examiner appeared to concur with the undersigned's characterizations, but advised that she would have to talk to the Primary Patent Examiner. The Examiner further stated that she would inform the undersigned of the outcome of her conference with the Primary Patent Examiner. To date, the undersigned has not received a return call from the Examiner, despite several attempts to contact the Examiner, to ascertain the status of the Examiner's conference with the Primary Patent Examiner. This response is filed by the two month deadline in order to provoke an advisory action.

**Information Disclosure Statements Filed October 28, 2004 and April 18, 2005**

The Applicants previously mailed two separate supplemental information disclosure statements on October 28, 2004 and April 18, 2005. The Applicants respectfully request the Examiner to consider the two above-mentioned information disclosure statements, and further to indicate this consideration by initialing the Applicants' previously submitted PTO forms 1449.

**Discussion of Prior Art**

Claims 1-4, 6, 7, and 14-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Patent Publication No. 2002/0102946 to San Giovanni (hereinafter San Giovanni), in view of United States Patent No. 6,658,272 to Lenchik et al. (hereinafter Lenchik).

San Giovanni discloses a modular two-body design for integration of mobile computing device features with a wireless communication device. In addition, San Giovanni discloses an electronic device 100 comprising a.) a first substantially planar information input/output device

further comprising a display 108 and a first interface 116; b.) a second substantially planar handheld wireless communication device further comprising a second interface 110 wherein the information input/output device and the wireless communication device are rotatably joined by a pivot 114 whereby they each have a coaxial axis of rotation perpendicular to their respective planes; wherein in a first position the second interface is obscured by the information input/output device and in a second position the second interface is exposed. Further, in paragraph 0032, San Giovanni discloses a trigger in the device 100 “providing functionality to activate the display 108 or various output images on the display 108.” In paragraph 0028 San Giovanni discloses sensitivity of the display 108 to the orientation of the display 108 with respect to the second interface 110. Particularly, the display 108 modifies its output images so that they are properly oriented for a user of the second interface 110. **San Giovanni does not teach responsiveness of the input functionality of the interfaces 116 and 110 to their relative positions. Rather, San Giovanni only teaches orientation (landscape or portrait) of the output of the display 108 relative to the position of the panels.**

Lenchik discloses a multiple element portable electronic device. The device of Lenchik comprises a display element 120 mounted to a first panel 104, an input element mounted to a second panel 106, and **a camera lens 129 mounted to the same side of the first panel 104 as the display element 120.** Also, the device of Lenchik only allows for two positions: a first position where the display element, the input element and the camera lens are all obscured; and a second position where all are unobscured.

**Rejections Under 35 U.S.C. § 103(a)**

Claims 1-4, 6-7, and 14-36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over San Giovanni in view of Lenchik.

Within the Office Action, it is states that the independent Claim 1 is unpatentable in that “San Giovanni discloses a modular two-body design for integration of mobile computing device features with a wireless communication device. In addition San Giovanni [discloses] an electronic device (100) comprising a.) a first substantially planar panel including a first interface (102), the first panel having a first axis of rotation perpendicular to the first panel; and b. a second substantially planar panel including a second interface (104), the second panel having a second axis of rotation perpendicular to the second panel and rotatably joined to the first panel such that the first axis of rotation and the second axis of rotation are co-linear. . . ; wherein in a first position the second interface is obscured by the first panel (which reads on paragraph 0023) and in a second

position the second interface is exposed (which is exhibited in figure 1).” The Office Action concedes that San Giovanni fails to specifically disclose the first panel including a display configured to respond to the first and second interfaces according to a first and second mode wherein the first and second interfaces operate in the first mode when configured in the first position and operate in a second mode when configured in a second position.

The Office Action further states that Lenchik discloses a multiple element portable electronic device, in which a first panel includes a display (120) configured to respond to the first and second interfaces according to a first and second mode wherein the first and second interfaces operate in the first mode when configured in the first position and operate in a second mode when configured in a second position (Lenchik, col. 2, lines 17-26). Within the Office Action, it is incorrectly concluded that it would have been obvious to a person of ordinary skill in the art at the time of the invention to improve San Giovanni by modifying a modular two-body design for integration of mobile computing device features with a first panel including a display configured to respond to the first and second interfaces according to a first and second mode wherein the first and second interfaces operate in the first mode when configured in the first position and operate in a second mode when configured in a second position as taught by Lenchik et al. for the purposes of providing different functions that intermesh operationally while sharing inputs, outputs, and other resources. Neither San Giovanni, Lenchik, nor their combination teach a multipanel system where the function of the interfaces changes according to the relative position of the panels. Accordingly, the Applicants respectfully traverse this rejection.

The independent claim 1 is for an electronic device that includes a.) a first substantially planar panel including a first interface, the first panel having a first axis of rotation perpendicular to the first panel; and b.) a second substantially planar panel including a second interface, the second panel having a second axis of rotation perpendicular to the second panel and rotatably joined to the first panel such that the first axis of rotation and the second axis of rotation are co-linear, wherein in a first position the second interface is obscured by the first panel and in a second position the second interface is exposed, further wherein the first panel includes a display configured to respond to the first and second interfaces according to a first and second mode wherein the first and second interfaces operate in the first mode when configured in the first position and operate in a second mode when configured in a second position (emphasis added). **Thus, the device of the independent claim 1 comprises interface elements whose functionality is responsive to the position of the panels relative to one another.**

Neither San Giovanni, Lenchik, nor their combination teach all the limitations found in Claim 1. Specifically, San Giovanni, Lenchik and their combination fail to teach responsiveness of the input functionality to the relative positions of the panels. There is no teaching, suggestion, or disclosure in San Giovanni, Lenchik, or their combination of a device wherein in a first position the second interface is obscured by the first panel and in a second position the second interface is exposed, and further wherein the first panel includes a display configured to respond to the first and second interfaces according to a first and second mode wherein the first and second interfaces operate in the first mode when configured in the first position and operate in a second mode when configured in a second position.

**Neither San Giovanni, Lenchik, nor their combination teach a multipanel system where the function of the interfaces changes according to the relative position of the panels.**

San Giovanni states, in part, that “[i]n accordance with an embodiment, orientation of the output image is adapted to the display 108 when the angle  $\theta$  is equal to 270 degrees, 180 degrees, and 90 degrees. When angle  $\theta$  is 180 degrees, the output image on the display 108 has a portrait orientation. When angle  $\theta$  is 270 and 90 degrees, the output image on the display 108 has a landscape orientation.” (San Giovanni, first 7 lines of paragraph 0029, starting on page 3 and ending on page 4).

Likewise, Lenchik discloses a device 100 where as shown in Fig. 4, “[b]ecause the display 120 is ... positioned like a portrait of a person, it is known as a portrait mode. The portrait is also configured in the inputs 15 of the second element 106, which may be configured to reflect the portrait mode and may include numeric keys and other phone keys.... Fig. 8 shows the self-configuring multiple element portable electronic device 100 in a landscape configuration, such as, for example, a pager. In the landscape configuration, the display 120 has the long dimension in a substantially lateral position, as is the second element 106.” (Lenchik, col. 2, lines 66-67, col. 3, lines 1-8 and lines 16-20). Lenchik further discloses that “[i]n addition to the changing of the orientation of displayed graphics or text, the orientation and arrangement of the individual keys or input elements of the inputs 115 may also be modified. For example, in a portrait (cellular phone) mode the input keys may be arranged so that they are properly oriented when the portable electronic device 100 is in a vertical portrait position (see Fig. 4). In the landscape mode, the first element 104 and second element 106 are substantially parallel and horizontally positioned, and the input keys may be configured in a horizontal orientation (see. Fig. 8)” (col. 4, lines 16-26).

Neither San Giovanni, Lenchik, nor their combination disclose, teach or suggest a device having a.) a first substantially planar panel including a first interface, the first panel having a first

axis of rotation perpendicular to the first panel; and b.) a second substantially planar panel including a second interface, the second panel having a second axis of rotation perpendicular to the second panel and rotatably joined to the first panel such that the first axis of rotation and the second axis of rotation are co-linear, wherein in a first position the second interface is obscured by the first panel and in a second position the second interface is exposed, further wherein the first panel includes a display configured to respond to the first and second interfaces according to a first and second mode wherein the first and second interfaces operate in the first mode when configured in the first position and operate in a second mode when configured in a second position (emphasis added). **Both San Giovanni and Lenchik disclose that a device can be configured such that the displayed images are in a portrait or landscape orientation. Neither San Giovanni, Lenchik, nor their combination disclose, teach, or suggest that a device where the display is configured to respond to the first and second interfaces according to a first and second mode wherein the first and second interfaces operate in the first mode when configured in the first position and operate in a second mode when configured in a second position.**

**In contrast to the prior art, the present invention discloses a device in which depending on its configuration, the display of the device is configured to respond to the first and second interfaces according to a first and second mode.** When the device is configured in a first position (closed position), the first and second interfaces operate in a first mode (telephone mode) and the display is configured to respond to the first and second interfaces according to that mode. When the device is configured in a second position (fully open position), the first and second interfaces operate in a second mode (keyboard mode) and the display is configured to respond to the first and second interfaces according to that mode.

For at least these reasons, the independent Claim 1 is allowable over San Giovanni in view of Lenchik. Claims 2-4 and 6-7 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Within the Office Action, it is states that the independent Claim 14 is unpatentable because “San Giovanni discloses a wireless telecommunications device comprising a. a first panel (102) including a front side and a back side (108), wherein the front side further comprises a display and a telephone interface. . . , the first panel having a first axis of rotation; b. a second panel (104) including a keyboard (110), the second panel having a second axis of rotation, the second panel rotatably coupled to the first panel such that in a first position the keyboard is obscured by the first panel. . . , and in a second position, the keyboard is exposed (which is exhibited in figure 1), wherein in the first position an entry made on the telephone interface is displayed on the display

and in the second position an entry made on the keyboard is displayed on the display (which reads on “Additionally, the integrated computing wireless communication apparatus 100 may contain a trigger providing functionality to activate the display 108 or various output images on the display 108” disclosed in paragraph 0032 of San Giovanni).” The Office Action admits that San Giovanni does not specifically disclose a digital camera lens mounted to a surface of the back side of the first panel, such that in a first position the camera lens is obscured by the second panel, and in a third position, the camera lens is exposed.

The Office Action further states that “Lenchik et al. discloses a self-configuring multiple element portable electronic device. In addition Lenchik et al. discloses a digital camera lens (29) mounted to a surface of the back side of the first panel (104), such that in a first position the camera lens is obscured by the second panel (105). . . , and in a third position the camera lens is exposed (as exhibits in fig. 19).” The Office Action then concludes that “it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve San Giovanni by modifying a modular two-body design for integration of mobile computing device features with a wireless communication device with a digital camera lens mounted to a surface of the back side of the first panel, such that in a first position the camera lens is obscured by the second panel, and in a third position the camera lens is exposed as taught by Lenchik et al for the purpose of creating a device that is intuitively simple to use.” The Applicants respectfully traverse this conclusion.

The independent Claim 14 is for a wireless telecommunications device comprising:  
a.) a first panel including a front side and a back side, wherein the front side further comprises a display and a telephone interface, the first panel having a first axis of rotation; b.) a second panel including a keyboard, the second panel having a second axis of rotation, the second panel rotatably coupled to the first panel such that in a first position the keyboard is obscured by the first panel, and in a second position the keyboard is exposed, wherein in the first position an entry made on the telephone interface is displayed on the display and in the second position an entry made on the keyboard is displayed on the display, and c.) a digital camera lens mounted to a surface of the back side of the first panel, such that in a first position the camera lens is obscured by the second panel, and in a third position the camera lens is exposed.

Neither San Giovanni, Lenchik, nor the combination of the two teach, suggest nor disclose all the claimed limitations found in the independent Claim 14. Lenchik does not teach a device having a digital camera lens mounted to a surface of the back side of the first panel. Instead, as mentioned previously, **Lenchik teaches a device where the digital camera lens is mounted on**

**the same side as that of the display on the first panel.** In contrast, the independent Claim 14 states, in part, that the first panel includes a front side and a back side, where the front side comprises a display and a telephone interface, and further that the digital camera lens is mounted to a surface of the back side of the first panel (i.e., **the present invention discloses that the digital camera lens does not share the same side of the first panel as the display**). Indeed, with the lens having the same field of view as the display, it is unclear how anything but a self portrait of the user can be taken. Further, Claim 14 states that in a first position the camera lens is obscured by the second panel, and in a third position the camera lens is exposed. **Lenchik does not teach, suggest, or disclose a device where the digital camera lens and the display are both on the same side on the first panel. Further, Lenchik does not teach, suggest, nor disclose a device having three positions, where in the first position the camera lens is obscured by the second panel, and in a third position the camera lens is exposed. In Lenchik, only two positions are taught (open and close positions).**

In contrast, **the present invention teaches a device configurable to three positions:** a first position wherein the display and the first interface are unobscured, while the second interface and the camera lens are obscured; a second position where the display, the first interface, the second interface and the camera lens are all unobscured; a third position where the display, the first interface and the camera lens are all unobscured, while the second interface is substantially obscured.

Turning to San Giovanni, the Office Action states that paragraph 0032 of San Giovanni reads on a limitation of the independent Claim 14 reciting “wherein in the first position an entry made on the telephone interface is displayed on the display and in the second position an entry made on the keyboard is displayed on the display.” The Applicants respectfully traverse. Paragraph 0032 of San Giovanni teaches that a device may contain a trigger providing functionality to activate a display of the device or various output images on the display. However, paragraph 0032 of San Giovanni fails to teach, disclose or suggest that a trigger is coupled with any of the interfaces of the device or that the functionality of the trigger changes with the relative position of the panels. Thus, San Giovanni fails to teach, disclose or suggest that when in a first position an entry made on the telephone interface is displayed on the display and in the second position an entry made on the keyboard is displayed on the display.

For at least these reasons, the independent Claim 14 is allowable over San Giovanni in view of Lenchik. Claims 15-30 depend from Claim 14, and are allowable as being dependent upon an allowable base claim.

Within the Office Action, as to the independent Claim 31, it is stated that “the combination of San Giovanni in view of Lenchik et al discloses everything claimed as applied above additionally San Giovanni discloses an electronic device (100) comprising a.) a first substantially planar panel including a first interface (102), the first interface comprising a telephone interface, the first panel having a first axis of rotation perpendicular to the first panel (which reads on paragraph 0023); and b. a second substantially planar panel including a second interface (104), the second interface comprising a keyboard (110) interface, the second panel having a second axis of rotation perpendicular to the second panel and rotatably joined to the first panel such that the first axis of rotation and the second axis [of] rotation are co-linear. . .; wherein in a first position the second interface is obscured by the first panel (which reads on paragraph 0023) and in a second position the second interface is exposed (which is exhibited in figure 1).”

The independent claim 31 requires an electronic device comprising a first and a second substantially planar panel, the first panel further comprising a telephone interface and the second panel further comprising a keyboard interface. Further according to claim 31, the first and second panels are joined such that they are free to rotate around an axis perpendicular to their planes, and free to assume a first position in which the second interface is obscured by the first panel and a second position in which the second interface is exposed.

As discussed above, the prior art of San Giovanni discloses a mobile computing device coupled to a wireless communication device, the mobile computing device having a first interface and the wireless communication device having a second interface. The two devices are rotatable with respect to one another; however, in a first position, the second interface (of the wireless communication device) is obscured and in a second position the second interface is exposed. In contrast, the present invention, as described in claim 31, is directed to a device in which a telephone interface is always exposed and a keyboard interface is optionally exposed. **San Giovanni and the present invention disclose distinct structures which correspond to remarkably distinct functionality. Further, a reasonably skilled practitioner of the art would not conceive the present invention in view of San Giovanni because the advantages of the present invention are not suggested in San Giovanni.**

Lenchik fails to teach, disclose or suggest a device having a first substantially planar panel comprising a telephone interface and a second substantially planar panel having a keyboard interface. Instead, Lenchik teaches a first panel having a camera 129 and a second panel having a keyboard. **Further the combination of San Giovanni and Lenchik does not teach, disclose or suggest, as claimed in independent Claim 31, a device having a first substantially planar**



**panel comprising a telephone interface and a second substantially planar panel having a keyboard interface, where the telephone interface is always exposed and the keyboard interface is optionally exposed.**

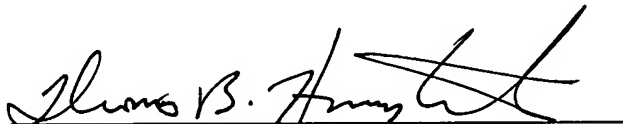
5       For at least these reasons, the independent Claim 31 is allowable over San Giovanni in view of Lenchik. Claims 32-36 depend from the independent claim 31. As described above the independent Claim 31 is allowable over San Giovanni in view of Lenchik. Therefore, Claims 32-36 are allowable as being dependent upon an allowable base claim.

**Conclusion**

For these reasons, the Applicants respectfully submit that Claims 1-4, 6-7, and 14-36 are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
HAVERSTOCK & OWENS LLP

Dated: 6-21-05

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**CERTIFICATE OF MAILING (37 CFR § 1.8(a))**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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